

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
(Poughkeepsie Division)

Hearing date: November 28, 2012  
Hearing time: 9:00 a.m.

In re:

Arnold Goldenberg,

Case No. 12-37122 (CGM)  
Chapter 7

Debtor.

**NOTICE OF HEARING, NOTICE OF MOTION  
AND MOTION FOR (1) DISMISSAL OF CHAPTER 7  
CASE AND (2) EXTENSION OF TIME TO OBJECT  
TO THE DISCHARGE OF THE DEBTOR(S)**

**NOTICE IS HEREBY GIVEN** that the United States Trustee has scheduled a hearing pursuant to 11 U.S.C. § 707(a) to consider dismissal of the Chapter 7 petition filed by the debtor and an extension of time to object to the debtor's discharge. The hearing will be held before the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge, on **November 28, 2012 at 9:00 a.m.** at the United States Bankruptcy Court, 355 Main Street, Poughkeepsie, New York 12601.

**PLEASE TAKE FURTHER NOTICE** that responsive papers, with proof of service, shall be filed with the Clerk of the Court, with courtesy copies delivered directly to the Bankruptcy Judge's chambers and served on the United States Trustee at 74 Chapel Street, Suite 200, Albany, New York 12207 so as to be received at least seven days before the hearing. *If the debtor does not appear at the hearing on this motion, it may be granted on default.*

Dated: November 1, 2012

VITO GENNA  
CLERK OF THE COURT

**UPON** the affirmation of the Chapter 7 trustee, the United States Trustee hereby moves for an order dismissing the above-captioned Chapter 7 case, and for an extension of time to object to the debtor's discharge for the unexcused failure of the debtor to appear on September 13, 2012 and October 1, 2012 at the meeting of creditors mandated by 11 U.S.C. § 341(a). In the absence of the examination of the debtor, the trustee is unable to effectively administer the case.

Dated: November 1, 2012

TRACY HOPE DAVIS  
UNITED STATES TRUSTEE

By: /s/ Eric J. Small  
Eric J. Small, Trial Attorney  
Office of the United States Trustee  
74 Chapel Street - Suite 200  
Albany, NY 12207